

Ser. No. 09/898,358  
Response after final rejection of 22 April 2003  
Atty Docket 113003-37

- 1 - **FAX RECEIVED**

JUL 01 2003

TC 1700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Fensel, et al.

Examiner: Watkins, III

Ser. No.: 09/898,358

Art Group: 1772

Title: METHODS OF PROCESSING BITUMEN-POLYMER BLENDS OF  
IMPROVED QUALITY

Filed: 3 July 2001

Date: 30 June 2003

**RESPONSE AFTER FINAL REJECTION**

This response is made to the final rejection in an Office Action mailed 22 April 2003. As the response is made more than two, but less than three, months of the Office Action mailing date, no extension fee is due but the advisory action rules do not apply. No fees are due for excess claims. If any fees are due, please charge them to Deposit Account 15-0450.

This response is made under the proposed revisions to 37 CFR 1.121, issued on 31 January 2003.

The response has the following parts:

**Amendments to the Specification** - none made;

**Listing of the Claims** – beginning on page 2;

**Amendments to the Drawings** – none made; and

**Remarks** – beginning on page 6.

Practitioner's Docket No. 113003-37

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fensel, et al

Application No.: 09/898,358

Group No.: 1772

Filed: 07/03/2001

Examiner: Watkins, III

For: METHODS OF PROCESSING BITUMEN-POLYMER BLENDS OF IMPROVED QUALITY

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP**  
1772

FAX RECEIVED

JUL 01 2003

TC 1700

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT OR RESPONSE AFTER FINAL REJECTION-TRANSMITTAL

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

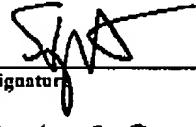
37 C.F.R. § 1.8(a)  
G with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

G as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)**TRANSMISSION**

Facsimile transmitted to the Patent and Trademark Office, (703) 872 - 9311.

14 PAGES

  
Signature \_\_\_\_\_

Stephen L. Grant

(Type or print name of person certifying)

\* Only the date of filing ('1.0) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

#### STATUS

2. Applicant is a small entity. A statement was already filed.

#### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

#### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

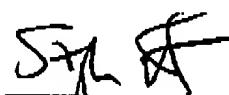
	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment	Highest No Previously Paid For	Present Extra	Rate	Addit Fee
Total	18	Minus 20	= 0	x \$9 =	\$0
Indep	4	Minus 4	= 0	x \$42 =	\$0
First Presentation of Multiple Dependent Claim			+ \$140 =	\$0	
			Total Addit. Fee	\$0	

No additional fee for claims is required.

#### FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 15-0450.

Date: 30 June 2003



Signature of Practitioner

Reg. No.: 33,390  
 Tel. No.: 330-864-5550  
 Customer No.: 021324

Stephen L. Grant  
 Hahn Loeser + Parks LLP  
 Twin Oaks Estate  
 1225 West Market Street  
 Akron, OH 44313-7188